

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
BATESVILLE DIVISION

FRANKLIN L. CHANCE  
ADC #132313

PLAINTIFF

v.

No. 1:19-cv-75-DPM-JJV

CHRIS JOHNSON, Deputy Warden,  
North Central Unit, ADC; and  
JARED DOVER, Correctional Officer,  
North Central Until, ADC

DEFENDANTS

ORDER

After Magistrate Judge Volpe filed his recommendation, the Court received Chance's response to the pending motion for summary judgment. № 20-22. His response includes a declaration that contradicts allegations in Ms. Grigsby-Brown's declaration. *Compare № 14-2 at ¶ 24, with № 21 at ¶ 2; see also № 20 at ¶¶ 4-6.* In light of this new material, the Court would appreciate a supplemental recommendation on the exhaustion issue. The Court therefore returns this case to the Magistrate Judge.

So Ordered.

  
D.P. Marshall Jr.  
United States District Judge

  
30 January 2020